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BEFORE THE ARIZONA CORPORATION COMMISSION

2002 OCT -7 A 11: 58

AZ CORP COMMISSION
DOCUMENT CONTROLWILLIAM A. MUNDELL
ChairmanJIM IRVIN
CommissionerMARC SPITZER
Commissioner

IN THE MATTER OF THE APPLICATION
OF DUKE ENERGY ARLINGTON
VALLEY, LLC IN CONFORMANCE
WITH THE REQUIREMENTS OF
ARIZONA REVISED STATUTES §40-
360.03 AND §40-360.06 FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING
CONSTRUCTION OF A NATURAL GAS-
FIRED, COMBINED CYCLE
GENERATING FACILITY (ARLINGTON
VALLEY ENERGY FACILITY II) NEAR
ARLINGTON IN MARICOPA COUNTY,
ARIZONA.

DOCKET NOS: L-00000P-01-0117

**STAFF'S RESPONSE TO
APPLICANT'S SECOND
REQUEST FOR EXTENSION**

Staff of the Utilities Division ("Staff") of the Arizona Corporation Commission ("Commission") hereby responds to the request by Duke Energy Arlington Valley, LLC ("Duke") for its second extension of time to comply with Condition No. 15 of the Certificate of Environmental Compatibility ("CEC") granted by the Power Plant and Transmission Line Siting Committee ("Committee") and approved by this Commission in Decision No. 64717. Staff has no objection to Duke's request that it be given until December 15, 2002 to convene an Arizona gas workshop, if the procedural order reflects that no further extensions of time will be granted to comply with this condition. Staff will oppose any further extensions of time to comply with this condition. Staff expects Duke to comply with the Condition No. 15 on or before December 15, 2002, without

Arizona Corporation Commission

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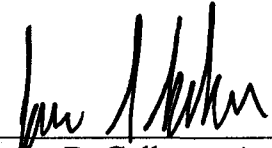
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1 exception, or Staff will consider bringing proceedings before the Commission to find
2 Duke out of compliance with the CEC.

3 RESPECTFULLY SUBMITTED this 7th day of October, 2002.
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6 _____
7 Jason D. Gellman, Attorney
8 Legal Division
9 Arizona Corporation Commission
10 1200 West Washington Street
11 Phoenix, Arizona 85007
12 Telephone: (602) 542-3402
13 Facsimile: (602) 542-4870
14 e-mail: jgellman@cc.state.az.us

11 Pursuant to R14-3-204 the
12 ORIGINAL and twenty-five
13 copies were filed this 7th day of
14 October, 2002 with:

14 Docket Control
15 Arizona Corporation Commission
16 1200 West Washington Street
17 Phoenix, Arizona 85007

16 COPY of the foregoing was
17 mailed/hand-delivered this 7th
18 day of October, 2002, to:

18 Laurie Woodall, Esq.
19 Office of the Attorney General
20 1275 West Washington Street
21 Phoenix, AZ 85007-2997

21 Thomas H. Campbell, Esq.
22 Michael Denby, Esq.
23 40 North Central Avenue
24 Phoenix, AZ 85004

24 
25 _____
26 Angela L. Bennett
27
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